

# UNITED STATES DISTRICT COURT

for the

Southern District of New York



White Plains Division

JORGE A. BAR-LEVY

Case No. \_\_\_\_\_

(to be filled in by the Clerk's Office)

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

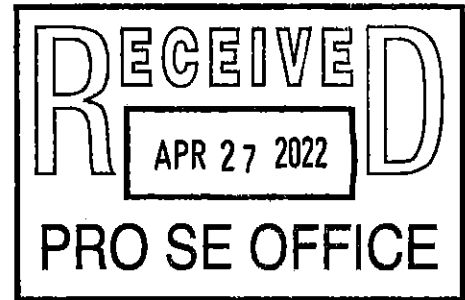
Jury Trial: (check one) ☒ Yes ☐ No

-v-

GEORGE MITCHELL

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)



## COMPLAINT FOR VIOLATION OF CIVIL RIGHTS

(Non-Prisoner Complaint)

### NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

**I. The Parties to This Complaint****A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	JORGE A. BAR-LEVY		
Address	P.O. BOX 3371		
	DUNNELLON	FL	34430
	<i>City</i>	<i>State</i>	<i>Zip Code</i>
County	MARION		
Telephone Number	352-229-0275		
E-Mail Address	jbarlevy1@gmail.com		

**B. The Defendant(s)**

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

## Defendant No. 1

Name	GEORGE MITCHELL		
Job or Title <i>(if known)</i>	TOWN OF RAMAPO POLICE OFFICER		
Address	274 BENJAMIN MEADOW RD		
	TUXEDO	NY	10987
	<i>City</i>	<i>State</i>	<i>Zip Code</i>
County	ORANGE		
Telephone Number			
E-Mail Address <i>(if known)</i>			
<input checked="" type="checkbox"/> Individual capacity <input checked="" type="checkbox"/> Official capacity			

## Defendant No. 2

Name			
Job or Title <i>(if known)</i>			
Address			
		NY	10901
	<i>City</i>	<i>State</i>	<i>Zip Code</i>
County			
Telephone Number			
E-Mail Address <i>(if known)</i>			
<input type="checkbox"/> Individual capacity <input checked="" type="checkbox"/> Official capacity			

## Defendant No. 3

Name \_\_\_\_\_

Job or Title *(if known)* \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_

State \_\_\_\_\_

Zip Code \_\_\_\_\_

County \_\_\_\_\_

Telephone Number \_\_\_\_\_

E-Mail Address *(if known)* \_\_\_\_\_☐

Individual capacity

☐

Official capacity

## Defendant No. 4

Name \_\_\_\_\_

Job or Title *(if known)* \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_

State \_\_\_\_\_

Zip Code \_\_\_\_\_

County \_\_\_\_\_

Telephone Number \_\_\_\_\_

E-Mail Address *(if known)* \_\_\_\_\_☐

Individual capacity

☐

Official capacity

**II. Basis for Jurisdiction**

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against *(check all that apply)*:

☐Federal officials (a *Bivens* claim)☒

State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials? First, Fourth Amendment to the U.S. Constitution, Amendment XVI, Section 1 of the U.S. Constitution, Title VI of the Civil Rights Act of 1964

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

- D. Section 1983 allows defendants to be found liable only when they have acted “under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia.” 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

Town of Ramapo Police Officer George Mitchell being a Sworn Police Officer acted under the color of State Law as he is encouraged by his police department's chief to specifically target US Citizens of the Jewish Faith who lives in Monsey, New York and accused them of committing Violation of traffic laws knowing that these citizens have committed no crimes or violations

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### III. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. Where did the events giving rise to your claim(s) occur?  
18 FORSHAY  
MONSEY NEW YORK
- 

- B. What date and approximate time did the events giving rise to your claim(s) occur?  
September 9, 2021
- 

- C. What are the facts underlying your claim(s)? (*For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?*)  
On or about 9-9-2021 at about 9:43 am, I parked on the sidewalk adjacent to the 18 Forshay Rd Synagogue in Monsey, NY, in order to attend Morning Services for the Jewish fast of Guedalia. At that I notice that several police vehicles were harassing, chasing away and mistreating religious service attendees and decided to return to my vehicle and change my parking location because I didn't know if it was legally parked in that spot ( everything is recorded on video from one of the cameras of the synagogue).

On or about 9-9-2021 at about 9:43 while moving my vehicle off the sidewalk and adjacent one of the synagogue driveway at a speed of less than 1 miles per hours , taking the precautions required by the exception of Section 1225-A of the New York Vehicle and Traffic Law

Officer George Mitchell harassing the religious service attendees wrote me a traffic ticket knowing that I did not violated any traffic laws and did so because of my race, religion and national origin

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#### **IV. Injuries**

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

Since the illegal detention and false accusation, I have been made to endure mental stress, financial losses as I have been forced to travel to New York from Florida to defend these false allegations

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#### **V. Relief**

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

The Plaintiff Humbly request that the Defendant be found liable for \$10,000 for actual damages and \$250,000.00 for punitive damage and any other amount and relief that he may be entitled or awarded by this Honorable Court or Jury.

The basis of the claim are the Defendant's illegal actions, financial loss and mental anguish caused to the Plaintiff.

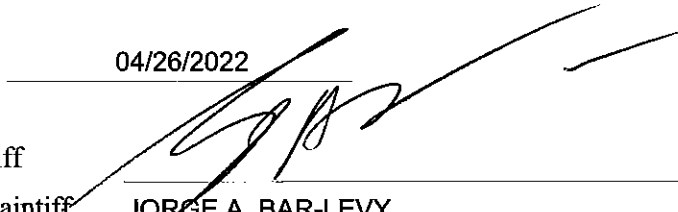
**VI. Certification and Closing**

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

**A. For Parties Without an Attorney**

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 04/26/2022

Signature of Plaintiff 

Printed Name of Plaintiff JORGE A. BAR-LEVY

**B. For Attorneys**

Date of signing: \_\_\_\_\_

Signature of Attorney \_\_\_\_\_

Printed Name of Attorney \_\_\_\_\_

Bar Number \_\_\_\_\_

Name of Law Firm \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_  
*City*

\_\_\_\_\_  
*State*

\_\_\_\_\_  
*Zip Code*

Telephone Number \_\_\_\_\_

E-mail Address \_\_\_\_\_